

THE HON'BLE SRI JUSTICE N.V. RAMANA

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Writ Petition No. 26306 of 2007

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Date: 10.12.2007

Between:

Kovvuri Narayana Reddy.

..... PETITIONER

AND

Eastern Power Distribution Company of
A.P. Limited, rep. by its Assistant Divisional Engineer,
Operation, Town, Tadepalligudem,
West Godavari District and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 26306 of 2007

Order:

Questioning the action of the respondents in demanding the entire provisionally assessed amount and threatening to disconnect power supply for failure thereof, pursuant to provisional assessment notice, dated 27.06.2006, and consequential notice dated 28.11.2007 threatening to disconnect power supply to Service Connection No. 1475, Category-II, T.P. Gudem (South), the petitioner filed the present writ petition.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

Though the petitioner contends that he never indulged in power theft, and the impugned final order is passed, without inviting his objections and without affording any opportunity of hearing to him, the fact remains, on 23.06.2006 the ADE/DPE.2/Eluru inspected the Service Connection No. 10708 of the petitioner and found the petitioner indulging in pilferage of energy. Based on the said inspection report, the Assistant Divisional Engineer (Operation), T.P. Gudem, disconnected the power supply to Service Connection No. 10708 of the petitioner and issued provisional assessment notice dated 27.06.2006, provisionally assessing the loss at Rs.2,96,981/- and demanding the petitioner to pay 50% of the assessed amount for restoration of power supply to his Service Connection, and the balance 50% amount in one instalment. Since the petitioner failed to pay the provisionally assessed amount, the respondents issued the impugned notice dated 28.11.2007, demanding the petitioner to pay the entire assessed amount within one week from the date of receipt of that notice, failing which they would disconnect

power supply to his another Service Connection No. 1475, and

I see no illegality or irregularity in the order passed by the respondents to interfere with the same in exercise of jurisdiction under Article 226 of the Constitution of India.

The writ petition is devoid of merit and the same is accordingly dismissed. No costs.

N.V. RAMANA, J.

Date: 10.12.2007

Nsr